

**BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.**

Application of

AERO-REY, S.A. de C.V.

for an exemption from 49 U.S.C. § 41301
(U.S./Mexico Charter Air Transportation)

Docket DOT-OST-1999-6374

APPLICATION OF

AERO-REY, S.A. de C.V.

FOR RENEWAL OF EXEMPTION

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December 3, 2021

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Pursuant to 49 U.S.C. § 40109 and Subpart C of the Department's Rules of Practice, Aero-Rey, S.A. de C.V. ("Aero-Rey"), hereby applies for renewal of its exemption from 49 U.S.C. § 41301, which grants Aero-Rey the full scope of passenger charter rights available under the Air Transport Agreement between the United States and Mexico signed on December 18, 2015. Aero-Rey specifically seeks renewal of its authority to conduct passenger charter operations, using small aircraft, in foreign air transportation between any point or points in Mexico and any point or points in the U.S.; and from a point or points in Mexico, via an intermediate point or points, to any point or points in the U.S., and beyond, as mutually agreed in writing by the U.S. DOT and the former Mexican Dirección General de Aeronáutica Civil ("DGAC"), provided that such service constitutes part of a continuous operation, with or without a change of aircraft, that includes service to Mexico for the purpose of carrying local traffic between Mexico and the U.S. Aero-Rey also seeks renewal of its authority to conduct other passenger

charter operations to and from the U.S., such as seventh-freedom passenger charter operations, subject to the prior approval requirements set forth in 14 C.F.R. Part 212.

Aero-Rey requests that the Department renew this exemption for a period of at least two years. Aero-Rey invokes the automatic extension provisions of the Administrative Procedure Act, 5 U.S.C. §558(c), as implemented by 14 C.F.R. Part 377, to maintain its exemption authority in effect pending a final Department determination on this renewal application.^{1/}

In support of this application, Aero-Rey states as follows:

1. Aero-Rey continues to be financially fit, and is willing and able to provide charter passenger services using small aircraft. Aero-Rey reports that there have been no changes in corporate address, key personnel, ownership, aircraft, or aircraft liability insurance coverage during the past two years, and the company incorporates by reference the information previously submitted in this docket.

2. Aero-Rey's international commercial authority (TAI) issued by the Mexican Civil Aviation Authority (AFAC) remains in effect, and AFAC is currently processing Aero-Rey's application to renew its Mexican Air Operator Certificate (AOC). Aero-Rey will submit a copy of its renewed AOC to the Department as soon as it is issued.

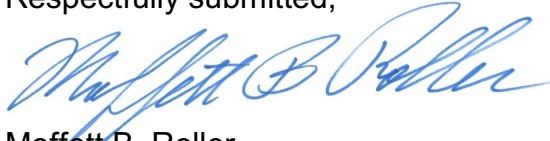
3. Aero-Rey's renewal application is limited in scope and non-controversial. Aero-Rey's proposed air transportation services are unchanged from the U.S.-Mexico services that it has performed during the past two years, *i.e.*, air transport services for executives and their guests using small executive jet aircraft.

^{1/} The Department last granted the above authority to Aero-Rey pursuant to a Notice of Action Taken issued in this Docket on December 5, 2019, effective through December 5, 2021.

4. In accordance with the terms of the Air Transport Agreement between the U.S. and Mexico, Aero-Rey's exemption authority is in the public interest. Aero-Rey's services satisfy a continuing commercial need and foster business activities and economic opportunities between Mexico and the United States.

WHEREFORE, Aero-Rey, S.A. de C.V., requests renewal of its authority to engage in charter foreign air transportation of passengers between Mexico and the United States using small aircraft, as set forth herein, and such other relief as may be in the public interest.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Moffett B. Roller".

Moffett B. Roller
Charles M. Greene
ROLLER & BAUER, PLLC

Attorneys for
Aero-Rey, S.A. de C.V.

December 3, 2021

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing application of Aero-Rey, S.A. de C.V., was served upon all parties named on the following Service List via e-mail this 3rd day of December 2021. No indication was received that any transmission by electronic mail had failed.



Carmen Navarro

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